

## Message Text

CONFIDENTIAL

PAGE 01 STATE 110185  
ORIGIN EUR-12

INFO OCT-01 ISO-00 L-03 PRS-01 JUSE-00 /017 R

DRAFTED BY EUR/SOV:MHENDERSON:VB  
APPROVED BY EUR/SOV:MGARRISON  
L:DVAGTS

-----151350Z 009095 /41

R 142146Z MAY 77  
FM SECSTATE WASHDC  
TO AMEMBASSY MOSCOW  
INFO AMCONSUL LENINGRAD

C O N F I D E N T I A L STATE 110185

E.O. 11652: N/A

TAGS: PFOR, PDIP, UR, US

SUBJECT: YESENIN-VOLPIN SUIT

1. IN A MAY 6 MEETING WITH DEPUTY ASSISTANT SECRETARY ARMITAGE, SOVIET EMBASSY MINISTER-COUNSELOR VLADILLEN VASEV APPEALED AGAIN FOR THE DEPARTMENT TO INTERVENE, AS A "FRIEND OF THE COURT," TO HELP ESTABLISH IMMUNITY FROM SUIT FOR TASS AND NOVOSTI. THE LIBEL SUIT BROUGHT BY PROFESSOR ALEXANDER YESENIN-VOLPIN IN THE US DISTRICT COURT FOR THE SOUTHERN DISTRICT OF NEW YORK ALLEGES TASS, NOVOSTI, AND THE DAILY WORKER SUBJECTED HIM TO "RIDICULE AND CONTEMPT" BY DESCRIBING HIM AS "MENTALLY SICK." ARMITAGE REMINDED VASEV OF THE DEPARTMENT'S NOTE TO THE EMBASSY OF MARCH 29 WHICH EXPLAINED THE OPERATION OF THE SOVEREIGN IMMUNITIES ACT OF 1976 IN THIS CASE. THE ACT VESTS IN THE COURTS THE DETERMINATION OF IMMUNITIES. ARMITAGE REITERATED THE DEPARTMENT'S INABILITY TO GIVE ANY UNSOLICITED ADVICE TO THE COURT AS TO THE IMMUNITY OF TASS AND NOVOSTI.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 110185

2. VASEV PLODDERED THROUGH THE POINTS MADE IN PRIOR SOVIET EMBASSY NOTES (MARCH 18 AND 29) AND SUMMARIZED A NEW NOTE WHICH CALLS THE SUIT "A TYPICAL ANTI-SOVIET PROVOCATION"... "OBVIOUSLY FABRICATED IN ORDER TO DAMAGE" US/SOVIET RELATIONS. HE SAID THE SUIT "ENDANGERED SOVIET INFORMATION FACILITIES."

3. ARMITAGE CLOSED THE CONVERSATION BY NOTING THERE WERE TWO QUESTIONS WITH WHICH THE COURT ISSEIZED: 1. THE IMMUNITY ISSUE, WHICH WILL BE DETERMINED FIRST; AND 2. THE SUBSTANCE OF THE SUIT, WHICH WILL ONLY RPT ONLY BE CONSIDERED IF THE COURT SHOULD HOLD TASS AND/OR NOVOSTI NOT IMMUNE UNDER THE ACT. CHRISTOPHER

CONFIDENTIAL

NNN

## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01-Jan-1994 12:00:00 am  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** DIPLOMATIC PRIVILEGES, INTERVENTION, TRIALS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Sent Date:** 14-May-1977 12:00:00 am  
**Decaption Date:** 01-Jan-1960 12:00:00 am  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 22 May 2009  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1977STATE110185  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** MHENDERSON:VB  
**Enclosure:** DG ALTERED  
**Executive Order:** GS  
**Errors:** N/A  
**Expiration:**  
**Film Number:** D770172-0653  
**Format:** TEL  
**From:** STATE  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1977/newtext/t19770557/aaaabxae.tel  
**Line Count:** 69  
**Litigation Code IDs:**  
**Litigation Codes:**  
**Litigation History:**  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Message ID:** c338d593-c288-dd11-92da-001cc4696bcc  
**Office:** ORIGIN EUR  
**Original Classification:** CONFIDENTIAL  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 2  
**Previous Channel Indicators:** n/a  
**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
**Reference:** n/a  
**Retention:** 0  
**Review Action:** RELEASED, APPROVED  
**Review Content Flags:**  
**Review Date:** 11-Mar-2005 12:00:00 am  
**Review Event:**  
**Review Exemptions:** n/a  
**Review Media Identifier:**  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**SAS ID:** 2519645  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** YESENIN-VOLPIN SUIT  
**TAGS:** PFOR, PDIP, UR, US, (ARMITAGE, JOHN), (VASEV, VLADILLEN), (YESENIN-VOLPIN, ALEXANDER)  
**To:** MOSCOW  
**Type:** TE  
**vdkgvwkey:** odb://SAS/SAS.dbo.SAS\_Docs/c338d593-c288-dd11-92da-001cc4696bcc  
**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009